

## Article II

### Right of Suffrage.

Section 1. Every native male citizen of the United States, and every naturalized citizen thereof who shall have become such ninety days prior to any election, of the age of twenty one years who shall have been a resident of the State one year next preceeding the election, and of the election district in which he claims his vote ninety days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; provided that no idiot, insane person, or person convicted of any infamous crime shall be entitled to the privileges of an elector. Provided, that the Legislature may by law remove in whole, or in part, the disabilities to exercise the elective franchise on account of sex.

Section 2. Electors shall in all cases except treason, felony, or breach of the peace, be privileged from arrest on the days of election, during their attendance at such election, going to and returning therefrom.

Section 3. No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.



Section 4. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this State or of the United States, or of the high seas; nor while a student at any seminary of learning; nor while kept at any almshouse, or other asylum, at public expense; nor while confined in any public prison.

Section 5. All elections by the people shall be by ballot.

Am No 504.

Article  
on the  
Right of Suffrage

Nov 13. 48

Read & ordered to lay  
books on table until  
the ~~Report of the Minority~~  
Report of the Com is made

Thomson  
ass Rec

Nov 20/78

Taken from the table  
& placed on Genl File

Smith  
ass Rec

Com on Suffrage

Sacramento Nov 1878.

Mr President.

Your Committee on the Right of Suffrage to whom were referred proposed Amendments Nos 20, 26, 39, 42, 46, 62, 80, 97, 98, 108, 145, 161, 163, 186, 196, 199, 200, 277, 295, 306, 331, 343, 358, and 473 and Resolutions No 13 and 20 have had the same under consideration and report them back, and recommend that the Convention take no further action on the same.

The Committee herewith submit a draft for Article II of the Constitution on the Right of Suffrage and recommend its adoption. All the changes proposed will be found in Section 1. The word "white" in the present Constitution is omitted, as are also the words "and every white male citizen of Mexico who shall have elected to become a citizen of the United States, under the treaty of peace exchanged and ratified at Queretaro on the thirteenth day of May 1848". The following words are also omitted "provided that nothing herein contained shall be construed to prevent the Legislature by a two thirds concurrent vote from admitting to the right of suffrage Indians or the descendants of Indians in such special <sup>cases</sup> as such a proportion of the legislative body may deem just and proper. A clause has been inserted requiring Naturalized

Citizens to procure their Naturalization papers ninety days prior to an election before they can vote. All citizens are required to be residents of the State one year instead of six months as at present in the Constitution and must reside in an election district ninety days instead of thirty days preceding an election before they can vote. Section 5 of the present Constitution has been incorporated ~~in~~ in Section 1 of the draft herewith submitted. A provision has also been inserted to give the Legislature the power to remove all disabilities <sup>to exercise</sup> ~~for~~ the elective franchise on account of sex. The remaining sections proposed are the same as in the present Constitution.

John A. Eagan

W. H. Wyatt

W. W. Cross

W. J. Sweeney

J. D. Gardner

B. B. Glascock

F. D. Townsend

J. H. McCallum

Report  
of Committee  
on  
Right of Suffrage

Nov 13. of 8  
Read & ordered <sup>to lay</sup> ~~and~~  
on table until the  
minority Report of the  
Com is made

J Thornton  
asst sec

Nov 14. of 8  
Taken from table & ordered  
printed

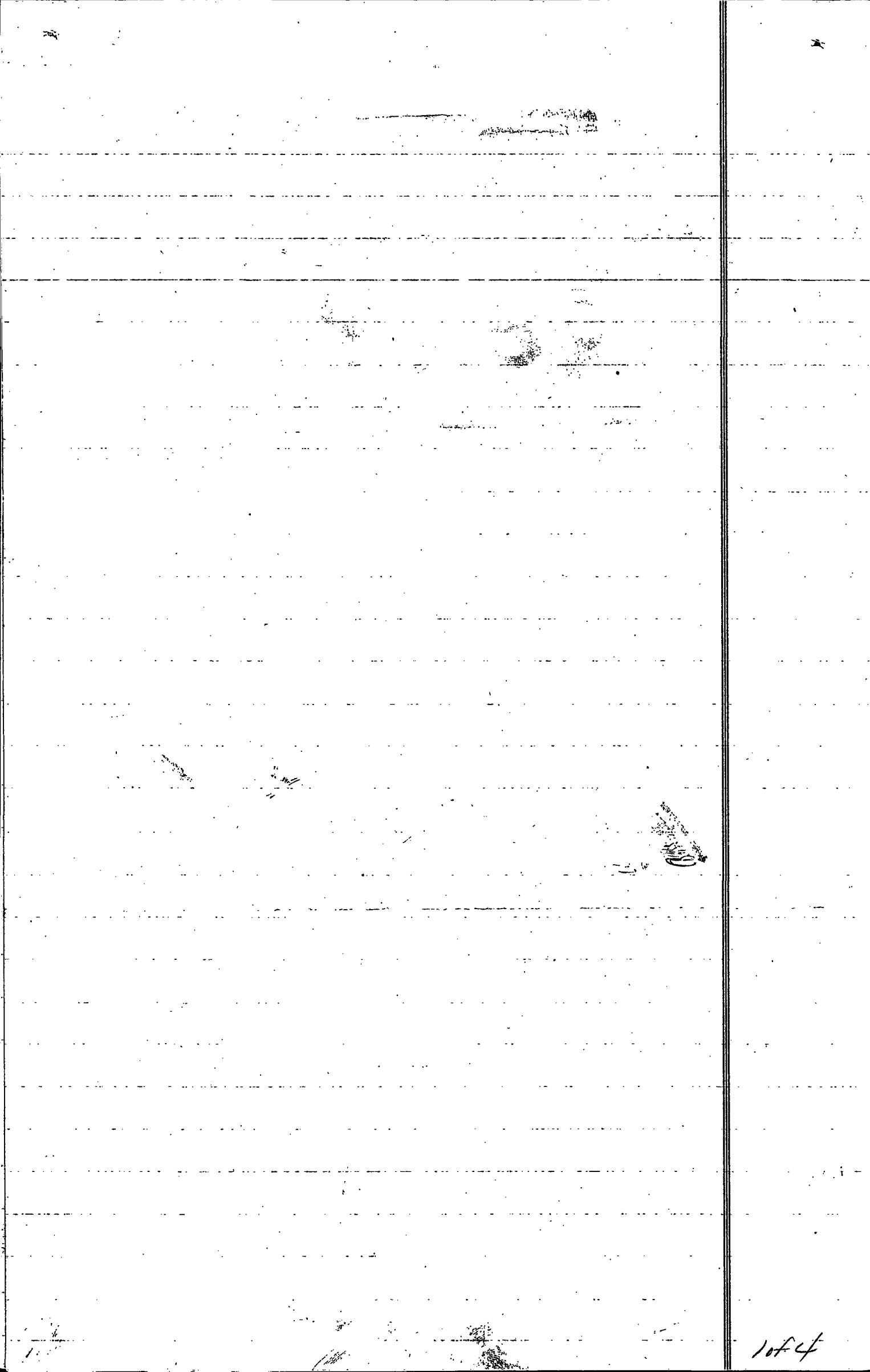
Thornton  
asst sec

Com on Suffrage

Hon Joseph P. Hooge

The undersigned a minority of of  
your committee on Right of Suffrage  
while concurring in most of the  
conclusions of the majority most  
earnestly dissent from their  
recommendation providing that  
the Legislature shall have power  
to extend the elective franchise  
Under our form of government  
the Original Supreme paramount  
authority is in the people —  
that is to say — in those holding  
the ballot and any limitation  
or extension of the ballot is an  
act affecting original authority  
and can be legitimately performed  
only by the Sovereign people  
exercising the right of a principal  
to ratify or reject the act of the  
agent — but waving  
the legal principle involved  
and considering the question from  
the Stand point of reason and  
common sense the first reflection  
is that the right to vote carries  
with it the Co relative obligations  
of citizenship but a little reflection





will convince all candid minds  
that the discharge of such obligations  
<sup>are</sup> ~~are~~ utterly incompatible with the  
moral social and physical condition  
of women in civilized society.  
An other and serious objection  
to the proposition is that it would  
surround the legislature by a  
lobby influence detrimental  
and injurious to all just and  
wise legislation.

— This radical innovation upon  
our Electoral System is not demanded  
by the sober conservative people  
but by a few professional  
agitators and schismatic  
propagandists, whose stock in trade  
would be indefinitely replenished  
by the adoption of the recommendation  
of the majority of your committee.  
And the future legislative hall  
would be but an other name  
for a beleaguered fortress,  
behind whose paper ramparts  
your statesmen and law makers  
would vainly seek shelter from the  
attacks of crinoline and silk,  
sophistry and blandishment  
smiles and tears.



graceful styles and winning wiles,  
charms repeated your true great  
in dulcet strains! The Liren reigns

But we present an objection to the  
whole scheme of Female Suffrage  
an objection as broad as humanity  
as deep as human affection  
and as comprehensive as human  
aspirations - viz - that it  
would slowly but surely  
necessarily and inevitably drag  
woman down from the lofty  
sphere which is her birth right  
and her realm by the potent  
eternal of nature and nature's  
god - when we attempt to reverse  
nature's laws - we only violate  
them and speedily and surely  
reap the penalty of that violation  
- and when woman leaves the domain  
which is hers by divine right  
and comes down - down - into  
the political arena - and  
paddles her own canoe in the  
historic pool runs for



constable is elected alderman  
and finally goes to the legislature  
to warm a contested seat - will  
any body ask: are her garments  
as white as of yore when she  
proudly sat upon her legitimate  
throne commanding our reverence  
and loving devotion - let us not  
desecrate the temple wherein mans  
noblest highest holiest aspirations  
are crystalized in that sweetest  
word of human tongue - Home

Signed

James Caples

[1878]

Right of Suffrage  
Minority Report

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Nov 14. of 8  
Read & ordered printed  
with the Majority Report  
Thorn  
3 each copy

In line 6 after the  
word "law" insert  
provided that no native  
of China shall ~~protect~~  
vote at any election.

Insert after the word  
"provided" in line 6, <sup>after the above clause</sup> insert

"provided" further"

McCallum

adopted



to amend sec. 1. by striking out  
third district in the fourth line  
and inserting in place thereof the  
word precinct

Amended

adopted

Add to Sec 1.

Provided further, that no person hereafter convicted of the embezzlement or misappropriation of public money while holding office or ~~engaged~~<sup>employed</sup> in the public service, shall ever exercise the privileges of an elector or hold any office whatever in this state,

Adopted

Miller

Amend sec 1 by inserting after United States  
on line one the words "every male person  
who shall have acquired the rights of  
citizenship under or by virtue of the treaty  
of Queretaro" and by adding the word  
"male" before "naturalized" on line 2.

adopted Campbell

Strike out all after the word  
cluster in the 8th line  
~~Foot~~ Adapted from

Secretary's Copy

Amendment.

No. 504.

INTRODUCED BY COMMITTEE ON RIGHT OF SUFFRAGE.

NOVEMBER 13TH, 1878.

READ, AND ORDERED TO LAY ON TABLE UNTIL THE MINORITY REPORT OF  
THE COMMITTEE IS MADE.

ARTICLE II.

RIGHT OF SUFFRAGE.

*amend Part of Campbell's*

SECTION 1. Every native male citizen of the United States, and every  
2 naturalized citizen thereof, who shall have become such ninety days prior to  
3 any election, of the age of twenty-one years, who shall have been a resident of  
4 the State one year next preceding the election, and of the election district in  
5 which he claims his vote ninety days, shall be entitled to vote at all elections  
6 which are now or may hereafter be authorized by law, *insert McCollum's amendment* provided, that no idiot,  
7 insane person, or person convicted of any infamous crime, shall be entitled to  
8 the privileges of an elector; *giving amendment late effect.* provided, that the Legislature may by law remove  
9 in whole, or in part, the disabilities to exercise the elective franchise on  
10 account of sex.) *and m.c.'s amendment*

SEC. 2. Electors shall in all cases, except treason, felony, or breach of  
2 the peace, be privileged from arrest on the days of election, during their  
3 attendance at such election, going to and returning therefrom.

SEC. 3. No elector shall be obliged to perform militia duty on the day  
2 of election, except in time of war or public danger.

SEC. 4. For the purpose of voting, no person shall be deemed to have  
2 gained or lost a residence by reason of his presence or absence while employed  
3 in the service of the United States, nor while engaged in the navigation of  
4 the waters of this State or of the United States, or of the high seas; nor while  
5 a student at any seminary of learning; nor while kept at any alms-house or  
6 other asylum, at public expense; nor while confined in any public prison.

SEC. 5. All elections by the people shall be by ballot.

*Report  
J. H. [unclear]*

*orig. [unclear]*

**Amendment.**

**No. 504.**

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INTRODUCED BY COMMITTEE ON RIGHT OF SUFFRAGE.

NOVEMBER 13TH, 1878.

AS AMENDED IN COMMITTEE OF THE WHOLE.

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ARTICLE II.

RIGHT OF SUFFRAGE.

SECTION 1. Every native male citizen of the United States, and every  
2 naturalized citizen thereof, who shall have become such ninety days prior to  
3 any election, of the age of twenty-one years, who shall have been a resident of  
4 the State one year next preceding the election, and of the election district in  
5 which he claims his vote ninety days, shall be entitled to vote at all elections  
6 which are now or may hereafter be authorized by law ; *provided*, that no idiot,  
7 insane person, or person convicted of any infamous crime, shall be entitled to  
8 the privileges of an elector ; *provided*, that the Legislature may by law remove,  
9 in whole or in part, the disabilities to exercise the elective franchise on  
10 account of sex.

The following is section one, as amended on motion of Messrs. Tinnin,  
Campbell, Miller, Shurtleff, and McCallum, and adopted :

[SECTION 1. Every native male citizen of the United States, every male  
2 person who shall have acquired the rights of citizenship under or by virtue of  
3 the treaty of Queretaro, and every male naturalized citizen thereof, who shall

4 have become such ninety days prior to any election, of the age of twenty-one  
 5 years, who shall have been a resident of the State one year next preceding the  
 6 election, and of the <sup>Council</sup> ~~election precinct~~ in which he claims his vote ninety days, *and in Election*  
 7 shall be entitled to vote at all elections which are now or may hereafter be author- *precinct 30 days*  
 8 ized by law ; *provided*, that no native of China shall vote at any election ; *pro-*  
 9 *vided further*, that no idiot, insane person, or person convicted of any infamous  
 10 crime, shall be entitled to the privileges of an elector ; *provided further*, that  
 11 no person hereafter convicted of the embezzlement or misappropriation of  
 12 public money while holding office or employed in the public service shall ever  
 13 exercise the privileges of an elector, or hold any office whatever in this State.]

SEC. 2. Electors shall in all cases, except treason, felony, or breach of  
 2 the peace, be privileged from arrest on the days of election, during their  
 3 attendance at such election, going to and returning therefrom.

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 2 of election, except in time of war or public danger.

SEC. 4. For the purpose of voting, no person shall be deemed to have  
 2 gained or lost a residence by reason of his presence or absence while employed  
 3 in the service of the United States, nor while engaged in the navigation of  
 4 the waters of this State or of the United States, or of the high seas ; nor while  
 5 a student at any seminary of learning ; nor while kept at any alms-house or  
 6 other asylum, at public expense ; nor while confined in any public prison.

SEC. 5. All elections by the people shall be by ballot.

*As Amended in Convention*  
*Original Copy*  
*Supra*



Strike out the words "the election  
precinct", in line 6, and insert  
County; also insert after "twenty  
days" in line 6, the following;  
and in the election precinct  
thirty days.

Beerstecher

# RIGHT OF SUFFRAGE.

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As Amended in Convention, and Ordered Engrossed for a Second  
Reading, February 14th, 1879.

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## ARTICLE —.

### RIGHT OF SUFFRAGE.

SECTION 1. Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, that no native of China shall vote at any election; *provided further*, that no idiot, insane person, or person convicted of any infamous crime, shall be entitled to the privileges of an elector; *provided further*, that no person hereafter convicted of the embezzlement or misappropriation of public money, while holding office or employed in the public service, shall ever exercise the privileges of an elector, or hold any office whatever in this State.

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SEC. 5. All elections by the people shall be by ballot.

504 H  
Report of Supp. #2  
Comm on Reporting and Printing  
acting as Engraving  
Committee on the following  
articles:

Water and Water Rights,  
Education,  
State Institutions, etc.,  
Harbors, etc.,  
Supp. ✓  
Correctly engraved.

Feb. 21/79  
Reported, Correctly  
engraved,

(E. F. Smith)  
Secret

Feb. 27, 1879  
Read a Second time,  
adopted, and referred  
to the Committee on  
Revision and Adjunct  
ment. J. M. Wright  
Act. Secretary.